

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION**

**MISSISSIPPI TRANSPORTATION COMMISSION**

**PLAINTIFF**

**vs.**

**CIVIL ACTION NO. 4:07-cv-105 DPJ-JCS**

**JOHN RUSSELL DUDLEY, JR., MARY T. DUDLEY,  
UNITED STATES OF AMERICA, ACTING THROUGH  
THE DEPARTMENT OF AGRICULTURE AND THE  
FARMERS HOME ADMINISTRATION, AND GEARY  
McCUISTON, TRUSTEE FOR FARMERS HOME  
ADMINISTRATION**

**DEFENDANTS**

**ORDER TO REMAND**

This cause having come to be heard on the Joint Motion of Defendant, United States of America, and Plaintiff, by counsel, for an order remanding claims in the above entitled action to the Special Court of Eminent Domain, Kemper County, Mississippi, Civil Action No. 2007-CV-46-B, on the ground that the parties are in agreement that state law predominates in this case and that the removal action was based on inadvertence and incomplete information from its client agency,

IT IS ORDERED that the Joint Motion to Remand the above-entitled action to the Special Court of Eminent Domain, Kemper County, Mississippi, Civil Action No. 2007-CV-46-B is hereby GRANTED.

**SO ORDERED AND ADJUDGED** this the 4<sup>th</sup> day of September, 2007.

s/ Daniel P. Jordan III  
UNITED STATES DISTRICT JUDGE